



Roanoke River Service Authority

5419 Highway One • Bracey, Virginia 23919 • Phone: (434) 689-7772 • Fax: (434) 689-3448

May 17, 2010

Mr. John H. Feild, Chairman
Roanoke River Basin Bi-State Commission
5673 Shiney Rock Road
Clarksville, VA 23927

Dear Mr. Feild:

Thank you for meeting with the Roanoke River Service Authority (RRSA) on April 27, 2010 to explain the purpose and work of the Roanoke River Basin Bi-State Commission. Your efforts on this vital issue are greatly appreciated.

On behalf of the RRSA Board, I wish to express our concern about the limited availability of water from Kerr and Gaston Lakes. We feel strongly that no one entity should be allowed to acquire the remaining allocation in the John H. Kerr Reservoir

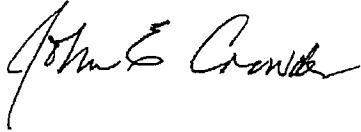
Since RRSA has operated since 2002 under a permit from DEQ which allows it to withdraw up to seven million gallons per day from Lake Gaston, we feel we should have the option of purchasing a corresponding allocation from the Kerr Reservoir prior to any other entity acquiring new, or additional, allocations from Kerr. This is of utmost importance due to the fact that we are the sole provider of drinking water to the towns of Boynton, Brodnax, LaCrosse, and South Hill and parts of the counties of Brunswick and Mecklenburg. In addition, the town of Chase City plans to become a member of RRSA within twelve months. The future economic development of these towns and counties hinges on the availability of such water! Since Southside Virginia is an economically depressed area, water for economic development is critical.

Due to the large debt incurred by RRSA in start up costs, it was practically impossible for us to purchase this allocation in 2002. Therefore, we feel we should be given the opportunity to purchase an allocation prior to any other allocations out of Kerr Reservoir.

Our Board plans to provide additional input to the Bi-State Commission once we have the opportunity to study further the situation and our financial future.

Again, thank you for your visit with us and for the opportunity to provide input to the Bi-State Commission.

Sincerely,

A handwritten signature in cursive script, appearing to read "John E. Crowder".

John E. Crowder, Chairman
Roanoke River Service Authority



Roanoke River Service Authority

5419 Highway One • Bracey, Virginia 23919 • Phone: (434) 689-7772 • Fax: (434) 689-3448

May 26, 2010

Mr. John H. Feild, Chairman
Roanoke River Basin Bi-State Commission
P. O. Box 1013
Clarksville, VA 23927



Dear Mr. Feild:

The Roanoke River Service Authority appreciates the opportunity to have our needs and concerns shared with the Bi-State Commission. The work of the Commission is of utmost importance to our service area. Some of our positions stated below are repeats from our previous letter of May 17, 2010. However, we feel it is important to state all our concerns and positions in one format. Therefore, we respectfully submit the following:

1. Of the alternatives being studied by the Commission, we support number three (3).
2. Since RRSA has operated since 2002 under a permit from DEQ which allows it to withdraw up to seven million gallons per day from Lake Gaston, we feel we should have the option of purchasing an allocation from Kerr Reservoir prior to any other entity acquiring new, or additional, allocations from Kerr.
3. We are strongly opposed to any one entity being allowed to acquire the remaining allocation in John H. Kerr Reservoir.
4. We are opposed to any further inter basin transfers of water from the Roanoke River basin. We are very concerned about the ecological impact of such action.
5. RRSA is the sole provider of water to the towns of Brodnax, Boydton, LaCrosse, and South Hill and to parts of Brunswick and Mecklenburg counties, including several industrial parks. In addition, the town of Chase City plans to become a member of RRSA within twelve months. This water is not only used for drinking, but for industrial and commercial purposes.
6. Southside Virginia is an economically depressed area! Our ability to provide a reliable and safe source of water to prospective businesses is vital to economic growth!

Serving the Towns of Brodnax, La Crosse, South Hill, and Boydton
The Counties of Mecklenburg and Brunswick

7. Of the total water withdrawn and sold by RRSA, our members return 85 per cent, or more, of it to not only the Roanoke River basin, but to Lake Gaston itself. Furthermore, when Chase City becomes a member, it will return water to Kerr Reservoir! Therefore, we deplete the water resource of the Roanoke River basin very little!

Again, we thank the Commission for this opportunity to present our views on this most vital issue. Should we be able to provide any additional information, please do not hesitate to contact us.

Sincerely,

John E. Crowder, Chairman
Roanoke River Service Authority



TOWN OF CLARKSVILLE

"Virginia's Only Lakeside Town"

May 28, 2010

Mr. John H. Feild
Chairman
VA-NC Roanoke River Bi-State Commission
5673 Shiney Rock Road
Clarksville, VA 23927

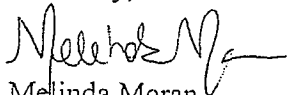
Dear Mr. Feild:

On behalf of the Clarksville Town Council, I appreciate the update on the important work being done by the Bi-State Commission you provided at the April 20, 2010 Town Council meeting. Our community is fortunate to have such a well-informed resident working to convey vital information to the public about issues pertaining to the Roanoke River Basin. **Clarksville is keenly aware of the significance of the decisions pending in regard to water allocation. The economic well-being of our region is at stake if we fail to protect this most valuable resource.**

The Mayor and Town Council reviewed the Roanoke River Basin Bi-State Commission Water Allocation Ad Hoc Committee Status Report dated March 2010 which you provided them. The consensus of the Council is that the Commonwealth of Virginia should be actively engaged in a concerted effort to secure a water allocation for our region. Therefore, **Option #3 – The States purchase of the remaining storage and handle the allocations**, most closely aligns with the Council's view on this issue. We do feel that there should be a strong local involvement in any future decisions made in regard to Roanoke River Basin water allocations, and that these decisions should not be solely controlled by the State. Further, we remain very concerned about the negative impacts of interbasin transfers of water. We advocate that no future withdrawals be allowed from the basin without the mitigation of returning discharges of properly treated wastewater to the basin.

Thanks for the opportunity for the Town of Clarksville to provide comment on this most critical issue. We look forward to receiving future updates from you as events unfold.

Sincerely,


Melinda Moran
Town Manager

cc: The Honorable Kevin Allgood, Mayor



Douglas W. Simpson
Secretary of Natural Resources

COMMONWEALTH of VIRGINIA
SOUTHSIDE PLANNING DISTRICT COMMISSION
DEPARTMENT OF ENVIRONMENTAL QUALITY

David R. Paylor
Director

200 SOUTH MECKLENBURG AVENUE, P.O. BOX 150 • SOUTH HILL, VIRGINIA 23970
Blue Ridge Regional Office
(434) 447-7101 • FAX (434) 447-7104
www.deq.virginia.gov

Lynchburg Office
7705 Timberlake Road
Lynchburg, Virginia 24502
(434) 582-5120 June 23, 2010
Fax (434) 582-5125

Roanoke Office
3019 Peters Creek Road
Roanoke, Virginia 24019
(540) 562-6700
Fax (540) 562-6725

Mr. John H. Field
Roanoke River Basin Bi-State Commission
P.O. Box 1013
Clarksville, VA 23927

Dear Mr. Field:

The work of the Bi-State Commission is of utmost importance to the localities represented by the Southside Planning District Commission (SPDC). This letter serves as an official notification that the Executive Committee of the SPDC discussed at their June 23, 2010 meeting the alternatives under consideration for allocating the remaining water supply storage of the John H. Kerr Reservoir. By consensus, the SPDC decided that, of the five options under consideration, Option 3 is deemed the preferred option.

The Southside Virginia region suffers from a severely depressed economy, so access to the remaining water supply storage is of great importance to the region's future economic growth. Furthermore, the SPDC strongly opposes any one entity being allowed to acquire the remaining allocation of the John H. Kerr Reservoir. Therefore, it is of the opinion of the SPDC that the States should purchase an agreed-upon share of the remaining water supply and then equitably allocate the storage based on the needs of the local government users in the basin. The SPDC wants to be actively involved in how this option will be implemented and reserves the right to support other options as circumstances arise.

We thank the Bi-State Commission for their time and dedication in pursuing a sensible alternative to this dilemma and for the opportunity to present our views on this most vital issue. The SPDC would like to reiterate its stand on inter-basin transfer unless there is an 85% return to the host site. Please feel free to contact our office should you have any questions regarding our position on this matter or if we can be of further assistance.

Sincerely,

Coleman Speece
Chairman

TOWN OF BOYDTON

461 Madison Street
Post Office Box 62
Boydton, Virginia 23917



Telephone: 434-738-6344
Facsimile: 434-738-0200
email: boydton@boydton.org

June 11, 2010

Mr. John H. Feild
P.O. Box 1013
Clarksville, VA 23927



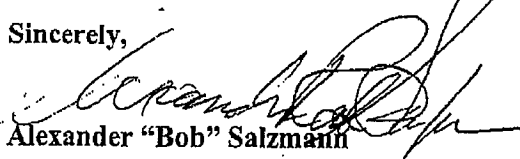
Dear Mr. Feild,

At our June 8, 2010, Town Council meeting, we have reviewed RRSA's letter to you dated May 28, 2010. After a full discussion of their letter, the council voted unanimously to fully endorse the position taken in the document.


The work of your commission is of vital importance to the Town of Boydton, Mecklenburg County, and indeed all areas of the Roanoke River Basin. We fully endorse your efforts in this critical area and look forward to your continued success.

If we can be of further assistance to you, please don't hesitate to contact this office.

Sincerely,


Alexander "Bob" Salzmann
Mayor, Town of Boydton

Attest:


Shirley S. Bowen, CMC
Clerk of the Council

Enclosure

TOWN OF BOYDTON



461 Madison Street
Post Office Box 62
Boydton, Virginia 23917

Telephone: 434-738-6344
Facsimile: 434-738-0200
email: boydton@boydton.org

May 12, 2010

Mr. John H. Feild
5673 Shiney Rock Road
Clarksville, VA 23927

Dear Mr. Feild:

Let me take this opportunity to thank you for your very informative briefing on April 5, 2010. Additional thanks are due you for your tireless work on behalf of the entire Roanoke River Basin. The just and fair allocation of the basin's water is of major concern to the Town of Boydton, both now and especially for the future. Hopefully this concern is also held by all counties, municipalities, and rural areas throughout the entire Roanoke River Basin.

I have reviewed the Roanoke River Basin Bi-State Commission Water Allocation Ad Hoc Committee, Status Report of March 2010, which you provided. I have also received the input of our Town Council at our May council meeting. The Council endorsed the following thoughts and recommendations.

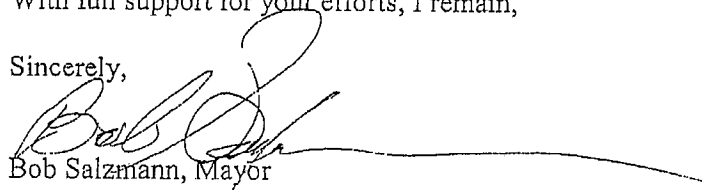
As a result, we, the Mayor and Town Council of Boydton, recommend and support a more suitable "variant" of the reports: **"Option # 3 - The States purchase of the remaining storage and handle the allocations; i.e., with the very strong caveats of the next paragraph."**

In our judgment, it would be essential (and we strongly urge that everything possible be done to "make it happen") **that the ownership of the remaining storage not be at the state level and "allocation" not be "State" controlled. Rather, the ownership and handling of allocation of these basin assets should be local; i.e., within the Roanoke River Basin controlled by the basin's user "community."** We, also, further support and strongly recommend that **no water be removed from the basin to be allocated for any cross basin transfer(s) or similar depletion of the basin assets.**

Thank you again for all your efforts. I hope that these thoughts and suggestions are of use to you. Feel free to contact us about any questions or further thoughts you may have.

With full support for your efforts, I remain,

Sincerely,



Bob Salzmänn, Mayor
Town of Boynton

cc: Delegate Tommy Wright
Senator Frank Ruff
Congressman Tom Perriello
Mr. Ed Crowder, RRSA
Mr. Wayne Carter, Mecklenburg County Administrator
Members of the Board of Supervisors
Mayors of The Town of La Crosse, South Hill, Chase City, and Clarksville



H. Wayne Carter III
County Administrator
Emergency Services Director

Mecklenburg County Board of Supervisors

Post Office Box 307 • Hopden, Virginia 23917

BOARD OF SUPERVISORS

Glenn Barbour
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May 28, 2010

Mr. John Feild, Chairman
Roanoke Basin Bi-State Commission

Clarksville, VA 23927

Dear John:

At the Mecklenburg County Board of Supervisors' meeting on April, 12, 2010, the board voted to approve alternative #3 of the Roanoke River Basin Bi-State Water Allocation Alternatives with the Roanoke River Service Authority pursuing acquisition of the water they will need for future growth, based on current and projected needs, and working in conjunction with the Southside Planning District Commission.

Please keep me and the board informed on any developments in this matter. Thank you for all your dedication and hard work.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Wayne Carter, III".

H. Wayne Carter, III
County Administrator



HALIFAX COUNTY BOARD OF SUPERVISORS

134 South Main Street
P. O. Box 699
Halifax, VA 24558-0699
(434) 476-3300
Fax: (434) 476-3384
www.halifaxcountyyva.gov

May 25, 2010

Mr. John H. Feilds
Roanoke River Basin Bi-State Commission
Water Allocation Ad Hoc Committee
P. O. Box 1013
Clarksville, VA 23927



Dear Mr. Feilds:

This letter is to serve as official notification that the Halifax County Board of Supervisors discussed at their May 3, 2010 Regular Meeting, the five options you presented at the April 19, 2010 Joint Meeting. By consensus the Board decided that of the five options you presented that Option 3, **The states purchase the remaining storage and handle allocations**, is deemed the preferred option at this point. This option is the preferred guideline for the Bi State Commission to pursue with the stipulation that the Board be involved in how the option is constructed. The Board noted that this consensus does not lock the Board into a position; and they have the prerogative of pursuing other options as situations progress.

If you have any questions regarding the Board's preference, please do not hesitate to contact me. Thank you for your time and effort in keeping the Board informed of the developments regarding Kerr Reservoir.

Sincerely,

COUNTY OF HALIFAX

George W. Nester, CM, AICP
County Administrator

Cc: Southside Planning District Commission



You'll like the view from

South Hill

Town of South Hill

Incorporated 1901

ADMINISTRATION
(434) 447-3191

BUILDING AND CODE
OFFICIAL
(434) 447-5041

PUBLIC WORKS
(434) 447-3228



June 15, 2010

Mr. John H. Feild, Chairman
Roanoke River Bi-State Commission
P.O. Box 1013
Clarksville, VA 23927

Dear Mr. Feild:

On behalf of the South Hill Town Council, I thank the members of the Roanoke River Bi-State Commission (Commission) for your efforts to ensure our region has a sustainable and plentiful water supply, both now and for generations to come. As we all know, water is perhaps the most vital resource to the livelihood of any region, and it is critical that we protect our valuable water supply.

South Hill is very much in favor of a regional approach to ensuring an ample long-term water supply for our citizens. We were a founding member and instrumental in the formation of the Roanoke River Service Authority (RRSA) which provides water to much of our region. We have reviewed both the Commission's Water Allocation Ad Hoc Committee Status Report dated March 2010 and the RRSA's May 26 letter commenting on the report. ***Our Council fully supports the RRSA's position and strongly endorses each point.*** It is important that any allocation first consider existing water users adjacent to Roanoke River/Kerr Reservoir/Lake Gaston water supply system, and that preference also be given to those who effectively treat and return water to the system.

We thank you for the opportunity to comment on this crucial issue to our region and we look forward to continued dialogue. Please let us know if we can answer questions or be of assistance in any way.

Sincerely,

Kim Callis
Town Manager

c: Lt. Governor Bill Bolling
John E. Crowder, RRSA Chairman
Mayor Earl Horne
Members of Town Council



Town of Brodnax

Incorporated 1915

A Two County Town

Mayor
Garland W. Baird

Town Manager
M. Wayne Tanner

Clerk-Treasurer
J. Woodrow Kidd

June 4, 2010

Mr. John H. Field, Chairman
Roanoke River Basin Bi-State Commission
P. O. Box 1013
Clarksville, Virginia 23927



Dear Mr. Field:

The Town of Brodnax would like to certainly thank you for all the efforts and time you spend with the Commission. You are to be commended for all the work you do in keeping it operating as smoothly as it has in the past.

The Town of Brodnax, as a member of the Roanoke River Service Authority, depends wholeheartly on the authority for the town's water supply. We therefore support in everyway possible the continued withdrawal of water from the Roanoke River Basin by this authority. We feel that sufficient water should always be allocated for the continued use of the Roanoke River Service Authority and its customers and also the future needs of its service area before being allowed to other users.

We have learned from a report of our board member Mr. Don E. Dugger, that some of the basin area is still unallocated to any locality and this area is under the control of the U. S. Army Corp of Engineers. Through Mr. Dugger, he has reported that the Commission is studying five options on how to handle the remaining unallocated portion of the basin water area and its control. Of these five options, we would strongly support Option no.3 which indicates that the States purchase the remaining storage capacity and handle the allocations. Also we would be opposed to any one entity getting all of the remaining allocation in John H. Kerr Reservoir, and also at the same time we are opposed to any further inter basin transfers of water from the Roanoke River Basin.

We still have economically depressed conditions in this area and we need to keep a good and reliable water supply for prospective and future business that would consider this area for development. Also the users of the Roanoke River Service Authority return better than 80 per cent of the water used back to the John H. Kerr Reservoir and Lake Gaston, therefore very little water is actually depleted out of the Roanoke River Basin System.



A Two County Town

Town of Brodnax

Incorporated 1915

Mayor
Garland W. Baird

Town Manager
M. Wayne Tanner

Clerk-Treasurer
J. Woodrow Kidd

The Town of Brodnax and I would like to again thank you and the Commission for the work it does to promote and keep a good and reliable water supply for this area and its citizens. Also we appreciate this opportunity to present our views and concerns on this vital issue facing the Commission. Should you need any additional support, please let us know as soon as possible.

Sincerely,

Garland W. Baird
Mayor

CC: Vice Mayor Don E. Dugger
Brodnax Town Council
M. Wayner Tanner, Town Manager
J. Woodrow Kidd, Clerk - Treasurer
Mr. John E. Crowder, Chairman

RICKY G. REESE
Town Manager

VIRGINIA W. PETERSEN
Treasurer

JEFF GURLEY
Director of Public Works

J. A. JORDAN
Chief of Police

EDDIE BRATTON
Mayor

Town of Chase City

LISA A. GILLISPIE
Vice-Mayor

319 North Main Street
Chase City, Virginia 23924
(434) 372-5136
Fax: (434) 372-2587

June 2, 2010



Mr. John H. Feild
Chairman
VA-NC Roanoke River Bi-State Commission
5673 Shiney Rock Road
Clarksville, VA 23927

Dear Mr. Feild:

Town Council and the Mayor would like to thank you for the update on the work being done by the Bi-State Commission you provided at the April 12, 2010 Town Council Meeting. The just and fair allocation of the Roanoke River Basin's water is of major concern to the Town of Chase City, now and in the future. Chase City is fully aware of the significance of the decisions pending in regard to water allocation. The economic well being of our region is at stake if we fail to protect this water, which is a most valuable of resources.

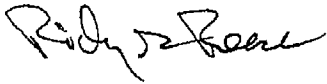
We have reviewed the Roanoke River Basin Bi-State Commission Water Allocation Ad Hoc Committee Status Report, which you provided. It is the opinion of the Town of Chase City that the Commonwealth of Virginia should aggressively try to secure a water allocation for our region. The Town supports **Option #3 - The States purchase of the remaining storage and handle the allocations.**

The Town also urges that the ownership of the remaining storage not be at the state level and allocation not be "State" controlled. The ownership and handling of allocation of these basin assets should be local or within the Roanoke River Basin controlled by the basin's user community. We advocate that no future withdrawals be allowed from the basin without the mitigation of returning discharges of properly treated wastewater to the basin.

Mr. John H. Feild
June 2, 2010
Page 2.

Thank you for all your work and efforts concerning the water and please keep us posted with future developments.

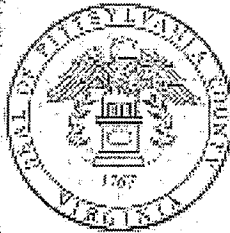
Sincerely,

A handwritten signature in black ink, appearing to read "Rickey G. Reese". The signature is fluid and cursive, with the first name "Rickey" being more prominent than the last name "Reese".

Rickey G. Reese
Town Manager

PITTSYLVANIA COUNTY
VIRGINIA

William D. Sleeper
County Administrator
P.O. Box 426
Charlton, Virginia 24531
dan.sleeper@pittgov.org



Phone (434) 432-7710
Fax (434) 432-7714
Gretna/Hurt (434) 656-6211
Bachelors Hall/Whitwell (434) 797-9550

June 9, 2010

The Honorable Charles D. Poindexter
Delegate, 9th District
P. O. Box 117
Glade Hill, VA 24092

RE: Roanoke River Basin Association

Dear Delegate Poindexter:

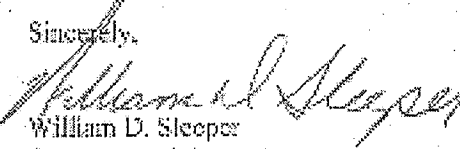
On the behalf of the Pittsylvania County Board of Supervisors, I submit to you the recommendations of the County of Pittsylvania concerning the Roanoke River Basin Bi-State VA/NC Commission concerning the water allocations of the John H. Kerr Reservoir. It appears that a request is a result of North Carolina's request for the remainder of the Kerr Reservoir water allocation to go to North Carolina and resulting in the inter-basin transfer of water.

The Pittsylvania County Board of Supervisors at their adjourned meeting on May 18, 2010 discussed the impacts and their concerns over the allocation of water from the John H. Kerr Reservoir. The Board of Supervisors is opposed to any inter-basin transfer of water specifically to areas that have reached development capacity and can no longer acquire the water they need from their existing donor basins.

If we must select one of the five (5) alternative strategies that were submitted by the Water Allocation Ad Hoc Committee, the Board of Supervisors is in agreement with the Smith Mountain Lake Association and that our recommendation would be an alternative two (2) with further modifications that no water shall be allocated for the transfer outside of the Roanoke River Basin.

If you should have any questions concerning the recommendations from the Pittsylvania County Board of Supervisors, please do not hesitate to contact my office.

Sincerely,


William D. Sleeper
County Administrator

WS/kp

Cc: Honorable Members of the Board of Supervisors
Honorable John P. Light, Legal Counsel
Greg Sides, Assistant County Administrator
Otis S. Hawker, Assistant County Administrator
John Lindsey, TLAC



West Piedmont Planning District Commission

P.O. Box 5268
Martinsville, VA 24115-5268
Phone: (276) 638-3987
Fax: (276) 638-8137
e-mail: staff@wppdc.org

Serving Franklin, Henry, Patrick, and Pittsylvania Counties – Cities of Danville and Martinsville – Town of Rocky Mount – Since 1970

June 15, 2010

Ms. Tammy D. Stephenson
Virginia Department of Environmental Quality
Office of Surface and Ground Water Supply Planning
3019 Peters Creek Road
Roanoke, Virginia 24019



Dear Tammy:

As you recall, the Planning District Commission was invited to comment on the Water Allocation Ad Hoc Committee's report, most specifically the range of Alternatives, 1 thru 5. In my earlier response, I noted that:

- 1) Basically we still oppose additional interbasin transfers outside the Roanoke River Basin;
- 2) Recognizing that the Committee wanted to have reviewed the five Alternatives it had developed to establish a means to manage the unallocated water at Kerr Lake, we noted our support for Alternative 2, Modified Status Quo. It had the following features: This option will not impair or affect the existing water management authorities for either the Commonwealth of Virginia or State of North Carolina. The Pros of this alternative are that: 1) it increases coordination between federal water storage allocation and overall state water supply management; 2) it requires less disruption and fewer additional resources than approaches adopting more substantial changes to existing storage allocation procedures; 3) if both States agree, the USACE would be able to implement today. We note that there are Cons that the committee reported: 1) it requires program development and additional resources; 2) it may increase the time needed for allocation decisions; 3) this approach provides for less certainty on how much water is and will be available for water supply. In large part because of Atlanta's water supply problems and the USACE's handling of Lake Lanier, it is likely the WSA will be modified or replaced and, if that occurs, the 50,000 ac-ft assumption is probably no longer valid.
- 3) The second most favored option was Alternative 4, Interstate Compact and its pros and cons.

Subsequent to my entry of a position, the Board of Commissioners has met again and we were advised of the Smith Mountain Lake Association's position by a Franklin County member, Mr. Bill Brush. After discussion, I indicated that I would develop an amended position more akin to the Association's which the Commission liked as introduced by Mr. Brush.

The Commission and the Association are concerned that interbasin water transfers create artificial and unsustainable development and growth within the receiving river basin. It also has potential to penalize growth, development, and economies in the donor (Roanoke River) basin. This could potentially occur if the water needed to attract and support future development of businesses and jobs is no longer sufficiently available within the donor basin or parts thereof.

Summarily, we still oppose any further interbasin transfer of water from the Roanoke River Basin. As the Smith Mountain Lake Association notes, none of the five alternatives are consistent with the declaration of policy principles and leaves open the possibility of allocation and transfer of water outside the Basin. We had thought the primary purpose of the Kerr Dam and Lake was for power generation and floodwater management, not as a source of water to be transferred outside the Roanoke River Basin. If water is transferred to Kerr Lake's neighbors and thence transferred and sold to Raleigh, NC metropolitan area, for example, it will stimulate growth there -- beyond what is sustainable with that region's water resources found in the Tar and Neuse River Basins.

The Association noted that, if required to choose one of the five alternatives, they would recommend Alternative 2, Modified Status Quo. We feel likewise and withdraw support for Alternative 4, Regional Compact. Like the Association, we would add these stipulations for Alternative 2:

Ms. Tammy D. Stephenson
Page Two
June 15, 2010

- a. Add the condition that no water shall be allocated for transfer outside the Roanoke River Basin.
- b. The US Army Corps of Engineers would continue to allocate water resources on a first-come basis to users within the Roanoke River Basin.
- c. The US Army Corps of Engineers should encourage the return of treated wastewater to the Roanoke River to reduce net withdrawal amounts.
- d. Withdrawals should be limited during a declared drought, based upon the amount of water retained in Kerr Lake allocated for withdrawal purposes. As Lake levels fall, withdrawals should be reduced to conserve supplies and to allow limited withdrawal for a longer period.
- e. First priority for Kerr Lake water supplies should be for use of that water within the basin, in this case, the Roanoke River Basin.

Again, I appreciate this opportunity to render our opinion regarding this issue with regard to allocation planning for Kerr Lake's unallocated water.

Sincerely,



Robert W. Dowd
Executive Director
West Piedmont PDC

5/12/2010

Charles:

I received your invitation to provide input on the report from the Water Allocation Ad Hoc Committee that included a range of alternatives, 1 through 5. After looking over the material and getting some input from a technical person that has followed the work of the Committee, I made a presentation of the material to the Board of Commissioners. I invited comments at the meeting and also gave members an opportunity to comment through April 30, 2010.

Basically we still oppose additional interbasin transfers outside of our Roanoke River Basin. We recognize that there are needs for further management consideration of the unallocated, US Army Corps of Engineer's estimated 28,621 ac-ft of basin water in Kerr Lake (with estimated firm yield of 55.6 mgd).

Considering the above, and that we may need to go beyond Alternative 1, Status Quo, we feel more comfortable with Alternative 2, Modified Status Quo. This option will not impair or affect the existing water management authorities for either the Commonwealth of Virginia or State of North Carolina. The Pros of this alternative is that: 1) it increases coordination between federal water storage allocation and overall state water supply management; 2) Requires less disruption and fewer additional resources than approaches adopting more substantial changes to existing storage allocation procedures; 3) If both States agree, the USACE would be able to implement today. We note that there are Cons that the committee reported: 1) Requires program development and additional resources; 2) May increase the time needed for allocation decisions; 3) This approach provides for less certainty on how much water is and will be available for water supply. In large part because of Atlanta's water supply problems and the USACE's handling of Lake Lanier it is likely the WSA will be modified or replaced and if that occurs, the 50,000 ac-ft assumption is probably no longer valid.

Our second favored alternative is Alternative 4, Interstate Compact. This option could impact the existing water management authorities for either the Commonwealth of Virginia or the State of North Carolina. The Pros of this alternative are that: 1) A commission established by an interstate compact would have authority to assist in resource management in both states; 2) Cooperation between the states and efficiencies may be enhanced by the process of the creation of the compact; 3) This scenario may allow for the incorporation of principles limiting water transferred outside of the basin (pro for some, con for others). We noted that the Cons the Committee reported are: 1) The establishment and approval of the compact would likely be a lengthy process; 2) The establishment of a commission would result in additional costs and staff during a tough budget climate.

We recognize that more information may become available in respect to the alternatives in the future and that we may also want to revisit our position in the future. We appreciate the opportunity to provide input and comment on the work of the Water Allocation Ad Hoc Committee.

Sincerely,

Robert W. Dowd
Executive Director, WPPDC

Modified Status Quo

This option will not impair or affect the existing water management authorities for either the State of North Carolina or the Commonwealth of Virginia.

Pros

1. Increases coordination between federal water storage allocation and overall state water supply management.
2. Requires less disruption and fewer additional resources than approaches adopting more substantial changes to existing storage allocation procedures.
3. If both States agree the USACE would be able to implement today.

Cons

1. Requires program development and additional resources.
2. May increase the time needed for allocation decisions.
3. This approach provides for less certainty on how much water is and will be available for water supply. In large part because of Atlanta's water supply problems and the USACE's handling of Lake Lanier it is likely the WSA will be modified or replaced and if that occurs, the 50,000 ac-ft assumption is probably no longer valid.

Alternative No. 4

Interstate Compact

This option could impact the existing water management authorities for either the State of North Carolina or the Commonwealth of Virginia.

Pros

1. A commission established by an interstate compact would have authority to assist in resource management in both states.
2. Cooperation between the states and efficiencies may be enhanced by the process of the creation of the compact.
3. This scenario may allow for the incorporation of principles limiting water transferred outside of the basin (pro for some, con for others).

Cons

1. The establishment and approval of the compact would likely be a lengthy process.
2. The establishment of a commission would result in additional costs and staff during a tough budget climate.

Stephenson, Tammy (DEQ)

From: Charles D Poindexter [DelCPoindexter@house.virginia.gov]
Sent: Wednesday, May 05, 2010 12:53 PM
To: Stephenson, Tammy (DEQ)
Subject: Fw: Roanoke River Basin Status Report comments
Attachments: Kerr Lake Resolution1.doc

Tammy,

Additional comments on Kerr and water allocation - from Wayne Strickland.

Thanks!

Lindsay Bowman Poteat
Legislative Assistant
Charles D. Poindexter
Delegate, 9th District
Phone: (540) 576-2600
New Email: DelCPoindexter@house.virginia.gov

-----Forwarded by Charles D Poindexter/HDel/HOD on 05/05/2010 12:52PM -----

To: DelCPoindexter@house.virginia.gov
From: Wayne Strickland <wstrickland@rvarc.org>
Date: 04/15/2010 11:02AM
Subject: Roanoke River Basin Status Report comments

Good morning Delegate Poindexter,
You have asked the Roanoke Valley-Alleghany Regional Commission to comment on the allocation principles which the Bi-State Commission is currently considering. As you may know, the Regional Commission passed a resolution in April of 2009 concerning the interbasin transfer of water from Lake Kerr. A copy of the resolution is attached.

Additionally, the staff of the Commission had the following concerns and questions about the Status Report and the overall planning for use of the water in the Kerr:

- Allocation planning is focused only on the Kerr Reservoir not the entire watershed.
- Allocation planning doesn't consider upstream users or their future needs.
- Will there be a time in the future that maintaining the water level at Kerr will take water away from upstream users?
- Will the final report/plan take into consideration the water supply planning efforts that are currently underway in upstream communities?

As far as the five alternatives listed in the Status Report outlining the possible allocation process for the future, we think Alternative #2, Modified Status Quo, is most appropriate. The report states that the "current approach, with relatively modest modification, could provide a framework for a more comprehensive approach" and the "expanded procedure would allow earlier identification of future conflicts and facilitate development of cost effective solutions." It would also increase coordination between federal water storage allocation activities and the states water supply management (which would hopefully take into account the water supply plans in Virginia).

Thank you for providing us the opportunity to comment on the allocation principles and the Status Report. Please contact me if you have any questions.

5/12/2010

Wayne

Wayne G. Strickland
Executive Director
Roanoke Valley-Alleghany Regional Commission
P.O. Box 2569
Roanoke, VA 24010
phone 540-343-4417
fax 540-343-4416
www.rvarc.org

The 23rd day of April, 2009

RESOLUTION

Opposing Kerr Lake Regional Water System's Request to Increase Their Authorized Transfer of Water from the Roanoke River Basin (Kerr Lake) to the Tar and Fishing Creek River Basins, from the Current 10 MGD to 24 MGD, as well as their Request for an Additional 2.4 MGD Transfer from the Roanoke River Basin to the Neuse River Basin

WHEREAS, the Kerr Lake Regional Water System, herein referred to as KLRWS, on February 18, 2009, submitted a Notice of Intent to Request an Interbasin Transfer (IBT) Certificate to the Environmental Management Commission to increase their authorized transfer of water from the Roanoke River Basin (Kerr Lake) to the Tar and Fishing Creek River Basins, from the current 10 MGD to 24 MGD, and additionally requested a 2.4 MGD transfer from the Roanoke River Basin to the Neuse River Basin; and

WHEREAS, the Virginia State Water Control Board's Local and Regional Water Supply Planning Regulation (9 VAC 25-780) requires that all localities in Virginia develop water supply plans to be completed by November 2011; and

WHEREAS, the counties of Bedford, Botetourt, Franklin, and Roanoke; the cities of Bedford, Roanoke, and Salem and the towns of Boones Mill, Buchanan, Fincastle, Rocky Mount, Troutville, and Vinton are participating in the Greater Roanoke Regional Water Supply Plan to be completed and approved in 2010; and

WHEREAS, Virginia's Local and Regional Water Supply Planning Regulation (9 VAC 25-780) requires development of future water demand projections through 2050 and possible alternatives to meet projected future demands in all approved water supply plans; and

WHEREAS, water demand projections from the Greater Roanoke Regional Water Supply Plan, as well as previous water studies and plans, indicate possible future water supply deficits at the local and regional levels; and

WHEREAS, potential water supply alternatives identified to meet projected future water demand include sources within the Roanoke River Basin, such as the Roanoke River and tributaries, and Smith Mountain Lake; and

RESOLUTION (Cont'd)

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WHEREAS, the Roanoke Valley-Alleghany Regional Commission, local governments, and other water supply planning partners have expressed concern that any additional withdrawal from the Roanoke River Basin for use outside of the Roanoke River watershed, as proposed by the KLRWS, could limit upstream withdrawals in the future, thereby limiting the region's ability to meet future water supply demand and address projected deficits.

NOW, THEREFORE BE IT RESOLVED, that the Roanoke Valley-Alleghany Regional Commission opposes the Kerr Lake Regional Water System's request to increase their authorized transfer of water from the Roanoke River Basin (Kerr Lake) to the Tar and Fishing Creek River Basins, from the current 10 MGD to 24 MGD, as well as their request for an additional 2.4 MGD transfer from the Roanoke River Basin to the Neuse River Basin.

Deleted:

Bradley E. Grose, Chairman
Roanoke Valley-Alleghany Regional Commission



SMITH MOUNTAIN LAKE ASSOCIATION

400 Scruggs Road, Suite 2100 - Moneta, VA 24121

PROTECTING THE INVESTMENT OF SML RESIDENTS

Date: 3 May 2010

Delegate Charles Poindexter
Legislative Member, VA/NC Bi-State Commission

CC: Tammy Stephenson at DEQ (tammy.stephenson@deq.virginia.gov).

The following is SML Association's reply to your April 8, 2010 request for our input in response to the Roanoke River Basin Bi-State VA/NC Commission water allocation for the John H. Kerr Reservoir. This request is as a result of North Carolina's request for the remainder of the Kerr Reservoir water allocation and the resulting Inter Basin Transfer. The VA/NC Bi-State Commission water allocation ad hoc committee has prepared a March 2010 report that we are referencing.

The Smith Mountain Lake Association (SMLA) represents 1250 families and property owners around Smith Mountain Lake. We are a non-governmental, citizen organization representing our association members' interests. The SMLA Board of Directors and the Association members are against any inter-basin water transfers in general and specifically this one proposed out of Kerr Lake and into the Tar and Neuse River Basins and to be sold in part to support additional growth in Raleigh, North Carolina.

SMLA's position is that inter-basin water transfers create artificial and unsustainable development and growth within the receiving water basin. They also penalize growth, development, and economies in the donor basin. People within the donor water basin, their livelihoods, their families and the directly related economies including businesses, industries, tourism and recreation, even taxes are negatively impacted. This occurs when the water needed to attract future and to support current businesses and jobs is no longer available within the donor basin.

We agree with the three stated purposes as stated in PART I. PURPOSES. We also agree with PART II. DECLARATION OF POLICY.

We do not understand how the Ad Hoc Committee arrived at the five alternative strategies proposed. From our collective SMLA perspective, none of the five alternatives are consistent with the declaration of policy principles as all contemplate the allocation and transfer of water outside the Roanoke River Basin. We also recognize the purpose of the Kerr Dam as being primarily power generation and floodwater management and especially not as a source of water to be transferred outside the Roanoke River Basin. If water is transferred for sale to Raleigh N. C., it will stimulate growth in that region beyond what is sustainable with that region's water resources.

If SMLA is required to choose between the five alternatives, our recommendation is alternative #2 with further modification by incorporation of the condition that regardless no water shall be allocated for transfer outside the Roanoke River Basin. The Army Corps would continue to allocate water resources on a first-come basis to users within the Roanoke Basin. Additionally, the Corps should encourage the return of treated wastewater to the river to reduce net withdrawal amounts. Also, water withdrawals should be limited during a declared drought, based upon the amount of water retained in Kerr Reservoir allocated for withdrawal purposes. As reservoir levels fall, withdrawals should be reduced to conserve supplies and to allow limited withdrawals for a longer period. This approach is somewhat consistent with North Carolina legislation that states the first priority is for use of water within a basin. Regarding inter-basin transfer, there is no way long term impacts can be assessed to "prove" that a donor basin will not be adversely impacted.

Additionally, we recommend that both American Rivers and The Nature Conservancy be asked to provide input in this matter before it is concluded. We are sending both organizations a copy of our letter to you. Their contact information is provided below.

Sincerely,

Larry Iceman

Larry Iceman

President, Smith Mountain Lake Association

CC American Rivers

1101 14th Street NW

Suite 1400

Washington, DC 20005

Phone: 202-347-7550

Fax: 202-347-9240

John Seebach (202) 347-7550 jseebach@americanrivers.org

The Nature Conservancy

490 Westfield Road

Charlottesville, VA 22901

Phone: (434) 295-6106

E-Mail: clongman@tnc.org

Stephenson, Tammy (DEQ)

From: Charles D Poindexter [DelCPoindexter@house.virginia.gov]
Sent: Monday, May 03, 2010 1:06 PM
To: Stephenson, Tammy (DEQ)
Subject: Fw: Re: VA/NC Bi-State Commission
Follow Up Flag: Follow up
Due By: Friday, May 07, 2010 12:00 AM
Flag Status: Red

Tammy,

Here is one more email we received with comments on the Kerr Reservoir water allocation. Thanks!

Thank you Charles for allowing me to review the options being considered by the Commission. I shared it with other members of the Leesville Lake Association Board and we are in agreement that the 4th option seems to provide Virginia the best opportunity to be able to do what is in our best interest. An Interstate Compact would require time to establish and would require staff to manage it but we feel would be worth the effort.

Sherwood Zimmerman

Lindsay Bowman Poteat
Legislative Assistant
Charles D. Poindexter
Delegate, 9th District
Phone: (540) 576-2600
New Email: DelCPoindexter@house.virginia.gov